HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No. 13796 OF 1996

DATE: 24.09.2007

Between:

Smt. P. Kasulamma

..... PETITIONER

AND

The Executive Officer, Endowments
Department, Govt. of A.P.,
Vizianagaram & 3 others.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No. 13796 OF 1996

ORDER: (Per Hon'ble Sri Justice A. Gopal Reddy)

The petitioner addressed a letter to this Court stating that her husband late P. Samba Murthy was appointed as Lower Division Clerk

on 17.12.1953 by Madras Public Service Commission and after formation of Andhra Pradesh State, he was allotted to work in A.P. Hindu Religious and Charitable Endowments Department on 13.12.1953 and he joined the Endowments Department at Vizianagaram and worked till his death on 13.6.1957, but so far no pensionary benefits have been settled and the Deputy Commissioner, Kakinada has sent a memo stating that the service register of her husband was not traced out and could not take any action with regard to the pensionary benefits.

On the basis of the said letter, the writ petition was taken up and on 18.7.1996 this Court directed the Commissioner of Endowments Department, 4th respondent herein to enquire into the matter and submit a report within four weeks. Ultimately, the writ petition was disposed of on 27.9.1996 directing the Commissioner of Endowments to settle the pensionary benefits of husband of petitioner within ten days from the date of receipt of copy of the order and submit a report of compliance thereof.

In compliance with the above order, the 4th respondent addressed a letter to the Registry, dated 3.12.1996 enclosing a copy of the communication received by him from the office of Accountant General, A.P., Hyderabad dated 15.11.1996. As per the said letter, the fourth respondent submitted the pension papers of late P. Samba Murthy to the Accountant General vide his letter No.E6/39689/96, dated 10.10.1996 for sanction of pensionary benefits to the family of the deceased employee, on which, the Accountant General returned the said papers observing that the husband of the petitioner had rendered only three years four months and 26 days of Government

Service and as per G.O.Ms.No.22, dated 16.1.1971, family pension is admissible to the beneficiaries provided the Government Servant should have rendered minimum of ten years confirmed service.

Even as per the letter addressed by the petitioner to this Court, the decease husband of the petitioner was appointed as L.D.C. on 17.12.1953 and died on 13.6.1957, by which date, he had not completed even four years of service. In view of the fact that the deceased husband of petitioner had not rendered minimum service for entitlement of pensionary benefits, no orders need be passed in this Writ Petition.

The Writ Petition is accordingly closed. No costs.

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A. GOPAL REDDY, J.

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24th SEPTEMBER, 2007 P. SWAROOP REDDY, J.

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